Message of the Diwan to the President of the Council

re. the Cochin Tenancy Bill—Recommittal of.

Secretary to the Council.—"The Cochin Tenancy Bill which was passed by the Legislative Council in Vrischigam 1108 requires some modifications. Under section 14-A of the Cochin Legislative Council Act I have the honour to return the Bill for reconsideration by the Legislative Council on the following points.

(1) Under Act II of 1090 security is given only to kanoms that were created before 1060. The Bill as finally passed by the Council extends this security to all kanoms created at any time. This change made by the Council is of a far reaching character. As a compromise I would suggest that the provisions of the new Act should apply only to all kanoms created before 1090. It may be remembered that it was in the year 1090 that Act II was passed and since the passing of that both the Jenmies and the Kanomdars have entered into contractual agreements with the full knowledge of the provisions contained in Act II of 1090. The suggested amendment seems to be the best compromise under the circumstances.

(2) The Council has considerably restricted the grounds on which the Jenmi can evict the kanomdar. Section 20 of the Malabar Tenancy Act which prescribes the conditions on which the Jenmi can evict the kanomdar are in substance identical with the corresponding provisions of Act II of 1090. The provisions of Act II of 1090 should therefore be retained.

(3) Section 44 of the Bill as finally passed does not appear to be reasonable. In view of the considerable restrictions imposed on the right of the Jenmies some relief should be given to them in the matter of speed realisation of their dues. Therefore the provisions contained in the original Bill as introduced by Government that arrears of not more than one year old irrespective of the amount could be recovered by the application of the Revenue Recovery Act should be allowed to remain.

(4) Section 52 as now worded seems to be arbitrary in its nature. Such case will have to be considered on its own merits and this clause should therefore be deleted."

SUPPLEMENTARY GRANTS.

1. Rs. 1,442 under "12—Tramway".

Mr. T. Narayana Menon *(Conservator of Forests).*—I rise to move for an additional grant of Rs. 1,442 under "12—Tramway-A-Capital-(7)-B, Permanent way". In doing so, I shall place before the House a statement of expenditure on account of the re-laying of rails as suggested by some of the members of the Standing Finance Committee.

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		Rs. As. Ps.
S. I. R. metre gauge.	Cost of 57 miles of 41¼ lbs. rails at Rs. 1,500 per mile	85,500—0—0
	Other materials (approximate)	12,000—0—0
		97,500—0—0
Tram line	Expenditure incurred in 1111 for re-laying 30.289 miles of track (22.789 miles in Section I and 7.5 miles in Section 3)	5,809—3—0
	Expenditure incurred in 1112 for re-laying 10 miles of rails (Second section and 3 miles in 3rd section)	2,131—5—0
		7,940—8—0
	Track to be relaid in 1113 —12.363 miles in section 3	2,642—0—0
		10,582—8—0
	Budget provision	1,200—0—0
	Additional allotment required	1,442—0—0

So the additional allotment required is Rs. 1,442 which I request the House to sanction.

Mr. P. Kumaran Ezhuthassan *(Wadakkancheri).*— At the Standing Finance Committee Meeting we had asked for some information, as to how much of metre gauge rails was used, the total expenditure incurred till now, etc.

Mr. T. Narayana Menon *(Conservator of Forests).*— From the information I have already furnished it will be seen that second hand materials of the metre-gauge line to the extent of Rs. 97,500 were purchased. The cost so far incurred in re-laying is Rs. 7,940. A further sum of Rs. 2,642 is needed for completing the work. There is only an allotment of Rs. 1,200

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in the original sanctioned budget. Hence an additional allotment of Rs. 1,442 is required.

Grant was put and carried.

2. Rs. 1,353—by transfer from '22 Industries' to '14—Education' (Cranganur).

Rao Sahib I. N. Menon *(Director of Public Instruction).*—Sir, I rise to move for an additional allotment of Rs. 1,353 by transfer from '22-Industries-(h)-Commercial Class' to '14-Education—1—Secondary Education—Boys' Schools'. This transfer is required purely as a matter of administrative facility and therefore it is strictly speaking not an additional grant. I request the House to be pleased to grant the additional allotment by transfer.

Grant was put and carried.

3. Rs. 3,368—4—0 by transfer from '32—Industries' to '20—Education'.

Rao Sahib I. N. Menon *(Director of Public Instruction).*—Sir, I rise to move for an additional allotment of Rs. 3,368-4-0 by transfer from '32—A—Industries Grant to aided Schools' to '20—3—Secondary Boys' Schools' and '20—4—Secondary Girls' Schools'. As the matter has been explained fully in the note to the Standing Finance Committee, I request the House to be pleased to grant the additional allotment by transfer.

Grant was put and carried.

The Cochin Tenancy Bill.

Mr. President.—Mr. P. Kumaran Ezhuthassan has written a letter suggesting that the consideration of the Cochin Tenancy Bill may be taken up after the Municipal Bill is passed. So far as the Government's position is concerned, it is a very simple one. When once a policy is adopted by Government with regard to certain specific recommendations, the discussion in the Council would be restricted only to the actual recommendations made by Government and to the consequential amendments or amendments strictly arising out of those recommendations. In other words only such of the clauses to which Government has moved amendments will be before the House and even with regard to the amendments which the

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